

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

_____	:	
EDDIE FIELDS,	:	
	:	
Plaintiff,	:	Civil Action: 09-2725 (RMB)
	:	
v.	:	<b>O R D E R</b>
	:	(CLOSED)
UNITED STATES OF AMERICA, et	:	
al.,	:	
	:	
Defendants.	:	
_____	:	

The Court having considered Plaintiff's application to proceed in forma pauperis and file the complaint without prepayment of fees pursuant to 28 U.S.C. § 1915; and the Court having screened the complaint to determine whether dismissal is warranted, pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A;

It is on this 21st day of July 2009,

**ORDERED** that Plaintiff may proceed in forma pauperis without prepayment of the \$350.00 filing fee pursuant to 28 U.S.C. § 1915(a) and (b); and it is further

**ORDERED** that the Clerk of the Court is directed to file the complaint in the above-captioned action; and it is further

**ORDERED** that the Clerk of the Court shall serve a copy of this Order by regular mail on the Attorney General for the State of New Jersey and on the warden of the Federal Medical Center, Rochester, MN; and it is further

**ORDERED** that Plaintiff is assessed a filing fee of \$350.00 and shall pay the entire filing fee in the manner set forth in this Order pursuant to 28 U.S.C. § 1915(b)(1) and (2), regardless of the outcome of the litigation; and it is further

**ORDERED** that in each month that the amount in Plaintiff's account exceeds \$10.00, until the \$350.00 filing fee is paid, the agency having custody of the plaintiff shall assess, deduct from Plaintiff's account, and forward to the Clerk of the Court payment equal to 20% of the preceding month's income credited to Plaintiff's account, pursuant to 28 U.S.C. § 1915(b)(2), and each payment shall reference the civil docket number of this action; and it is further

**ORDERED** that the complaint is hereby dismissed, without prejudice; and it is further

**ORDERED** that the Clerk of the Court shall close this case; and it is finally

**ORDERED** that Plaintiff may move to reopen this case within 45 days of the date of entry of this Order in order to address the issue of tolling of his Bivens claims, and exhaustion of his FTCA claims.

s/Renée Marie Bumb  
RENÉE MARIE BUMB  
United States District Judge

